

FILED

IN CLERKS OFFICE
U.S. DISTRICT COURT FOR N.Y.

★ NOV 30 2007 ★

P.M. _____

TIME A.M. _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
DAVID P. CRUZ,

Plaintiff,

-against-

NEW YORK CITY TAXI
AND LIMOUSINE COMMISSION,

Defendant.
-----X

JUDGMENT
06-CV- 6614 (CBA)

An Order of Honorable Carol Bagley Amon, United States District Judge, having been filed on November 29, 2007, adopting the Report and Recommendation of Magistrate Judge Lois Bloom, dated October 22, 2007; granting defendant's motion to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6); certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from a judgment entered would not be taken in good faith; and denying *in forma pauperis* status for purpose of any appeal; it is

ORDERED and ADJUDGED that plaintiff take nothing of the defendant; that the Report and Recommendation of Magistrate Judge Lois Bloom is adopted; that defendant's motion to dismiss is granted pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6); that pursuant to 28 U.S.C. § 1915(a)(3) any appeal from a judgment entered would not be taken in good faith; and that *in forma pauperis* status is denied for purpose of any appeal.

Dated: Brooklyn, New York
November 29, 2007

s/ RCH
ROBERT C. HEINEMANN
Clerk of Court